



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities."

#### **Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

#### **County Manager**

David Smith

#### **Clerk of the Board**

Fran McCarroll

#### **Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, Arizona 85003

# **FORMAL MEETING MINUTES**

## **BOARD OF SUPERVISORS MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control District, Library District, Stadium District, Improvement Districts and/or Board of Deposit)

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**Wednesday, November 18, 2009  
9:00 AM**

**1. INVOCATION**

Paul Eppinger, Arizona Ecumenical Council, gave the invocation.

**2. PLEDGE OF ALLEGIANCE**

Margaret Henning, Employee Relations/Disability Analyst, led the assemblage in the Pledge to the Flag.

**3. ROLL CALL**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, November 18, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3, (entered late); Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

Terri Leija, Chief of Staff for District 5, arranged a Happy Birthday celebration for Supervisor Mary Rose Wilcox who will turn 60 on Saturday. She softened her disclosure by telling her boss that 60 is the new 50, adding, "and you put us to work like you're 30!" She invited the audience – Supervisor Wilcox's County family – to join her in singing Happy Birthday to her boss.

The Arizona County Boyz played and sang "Las Mañanitas" after which Supervisor Wilcox shared that her mother used to call each of her children on their birthdays and sing "Las Mañanitas" to them over the phone, so this rendition brought back special memories and meant a lot to her today.

**4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

Aprille Hollis introduced a two-month old short haired, black and white kitten she called Tux, who is one of the few kitten left at the shelter and is available for only \$50, having received neutering, shots and license in preparation for adoption and a loving home life. Questions may be directed to the shelter at 602-506-7387.

**PRESENTATIONS**

**5. Presentation by the Industrial Development Authority of Maricopa County of a grant award of \$200,000 to the Saint Mary's Food Bank Alliance, The United Food Bank and The Desert Mission Food Bank.**

Merwin Grant, President, Industrial Development Authority of Maricopa County  
Tom Manos, Executive Director, Industrial Development Authority, Maricopa County

Tom Manos, referred to agenda item #75 for a resolution approving the issuance of revenue bonds to provide financing for the United Food Bank of Mesa. He said it has long been recognized that the United Food Bank needs a new facility and the IDA, at their November meeting, granted approval for a \$3 million bond issue for that new United Food Bank facility.

**~ Supervisor Kunasek entered the meeting ~**

Mr. Manos explained that in processing this bond issue the IDA Board had become more aware of the needs of the food bank and the services they provide to the community and that these services are being "stretched" during this economic downturn. During July and August 2009 demands increased by 60% over the same months in 2008. Last year the food banks distributed 70 million pounds of food in Arizona. Even with this increased distribution, nearly 38% of the demand in the State was not met.

When the IDA Board members learned of these needs they voted a \$200,000 grant of their own funds, not to be confused with bond funds, to the food banks. Mr. Manos said they asked the organizations to determine an equitable distribution of the monies.

Mr. Manos introduced Merwin Grant, Chairman of the Industrial Development Authority and a long-time friend of Maricopa County. Mr. Grant said that while the Industrial Development Authority may not be well known he felt it should be pointed out that they currently have \$1.9 billion invested in outstanding bonded indebtedness through such building projects as America West Arena, St. Joseph's Hospital, numerous housing projects and a number of other specific industrial projects. He said the IDA Board was committed to continuing the efforts it has made during the past few years. He reminded the Supervisors that the IDA had funded \$2 million of the Human Services Campus in recognizing there was a significant need for this type of facility in the community.

Mr. Grant called representatives of the various food banks forward in order to distribute checks for their particular organization. Tom Manos and Chairman Wilson handed out checks to Bob Evans, President and CEO of United Food Bank, \$60,000; Sharon Pierson, Director, Desert Mission Food Bank, \$20,000; and Terry Shannon, President and CEO, St. Mary's Food Bank Alliance, \$120,000. Mr. Manos explained that St. Mary's Food Bank is an alliance of several food banks, which is why their portion of the \$200,000 grant was larger.

Mr. Shannon responded that all were thankful for this financial help as they are all experiencing unprecedented demands because today's economic challenges have put so many in a difficult situation. He said that fortunately donations are not down or they would not have been able to service the daily increased demands over the past year. He added that the monies received today will enable them to put incredible amounts of food into the community. He said donated food, money and volunteer time enable them to provide their services, and without a balance of those three things a food bank doesn't function. He expects a large increase in demand during the upcoming holiday season and thanked the County IDA Board for the financial help given today.

Supervisor Stapley thanked Merwin Grant and the IDA Board for their foresight and Tom Manos for his work on this board. He said the Board has demonstrated the vision to place their limited resources where they are most needed and expressed his gratitude for all the good they do, especially in the face of today's increased demands.

Supervisor Brock agreed and said the public should recognize the outstanding leadership that is at work in the community to benefit those who are in need. He said all of the food banks do outstanding work and it is appreciated.

Supervisor Wilcox also thanked the IDA leadership and commented on the vast amount of good from their donation towards the Homeless Campus that set an example for other agencies to follow. She acknowledged that the food banks are the only resource that many people in the Valley have. She thanked them for not being afraid to use the

IDA monies in very constructive ways for the good of the community.

## STATUTORY HEARINGS

### Clerk of the Board

#### 6. LIQUOR LICENSE APPLICATIONS

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

##### a. NEW LICENSE FOR SAGE & SAND GRILL

Pursuant to A.R.S. § 4-201, approve an application filed by Valerie Ann Aber for a New Series 6 Liquor License for Sage & Sand Grill at 13831 W. Glendale Avenue, Glendale, AZ 85307. (AZ #06070539)(Supervisory District 4) (C-06-10-154-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

##### b. NEW LICENSE FOR ARI SUSHI

Pursuant to A.R.S. § 4-201, approve an application filed by Jungock Kim for a New Series 12 Liquor License for Ari Sushi at 29605 N. Cave Creek Road #101, Cave Creek, AZ 85331.(AZ 12078157)(Supervisory District 3)

~~Environmental Services recommends denial.~~ The Clerk announced this recommendation had been changed to a recommendation of approval. (C-06-10-156-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

##### c. SPECIAL EVENT LICENSE FOR THE KNIGHTS OF COLUMBUS COUNCIL #11809

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Michael F. Chabak for the Knights of Columbus Council #11809 at 14818 W. Deer Valley Drive, Sun City West, AZ 85375 to be held on Saturday, December 19, 2009 from 4:00 p.m. to 9:30 p.m. (Supervisory District 4) (C-06-10-157-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

#### 7. PUBLIC HEARING - LONG MANOR IRRIGATION WATER DELIVERY DISTRICT

Pursuant to A.R.S. §48-3423, convene the scheduled public hearing regarding the signed petitions for the proposed Long Manor Irrigation Water Delivery District filed, as they have

been determined to be signed by a majority of the owners of the acreage within the proposed district.

At the hearing, any land owner within the proposed district may appear and object to the organization thereof, or to the proposed boundaries thereof, or to the inclusion of his land therein. The Board will hear and consider all comments in favor and against the organization of the district and decide whether to approve or reject the organization of the district with the boundaries proposed in the petition or with modified boundaries.

If the Board decides to precede with the organization of the district the Clerk is directed to publish and post notice describing the boundaries and fix a date in which written protest against the organization may be filed by owners of a majority of the acreage within the district. If no protest is filed, or if one is filed and found insufficient, an order establishing the district shall be entered and will include the appointment of the three trustees of the district as set forth in the petition. (Supervisory District 3)

The proposed district is located in the Long Manor Subdivision Community between Indian School Road and Clarendon Avenue near 42nd Place and 43rd Street in Phoenix and contains approximately 62 parcels (Supervisory District 3). (C-06-10-001-7-03)

No citizen came forward to speak at this hearing.

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Works**

### **8. ROAD FILE DECLARATIONS**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

#### **a. ROAD FILE NO. A-424**

Road File No. A-424 Open and Declare said alignment also known as 125th Avenue from Ocotillo Road to Glendale Avenue lying within Supervisor District No. 4. (C-91-10-050-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **b. ROAD FILE NO. 5831**

Road File No. 5831 to Open and Declare the following described alignments into the County Transportation System.

All streets consistent with the rights-of-way, as depicted in Adobe Corners, a subdivision as Shown in Book 467 of Maps, Page 03, M.C.R.; containing 1.5200 acres.

General Vicinity: Ellsworth Road and East Ellis Street. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 2 (C-

91-10-054-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. ROAD FILE NO. 5833**

Road File No. 5833 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Camelback Road and Perryville Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-10-045-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. ROAD FILE NO. 5834**

Road File No. 5834 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 123rd Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-10-044-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **County Attorney**

**9. AMENDMENT TO AGREEMENT FOR GRANT EXTENSION AND AWARD INCREASE FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION**

Approve amendment to the agreement and acceptance of grant funds from the Arizona Criminal Justice Commission, Grant No. Anti-Gang-09-001. The original award, approved by the Board of Supervisors on October 1, 2008 in the amount of \$85,000, was set to expire on September 30, 2009 (C1909023G00). By approving this amendment, the Board of Supervisors will allow the grant to continue until June 30, 2010 and will allow the award amount to be increased by an additional \$85,000 to a new total of \$170,000. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14.4% or \$24,480. The recoverable indirect cost of administering the grant is \$0, the non-recoverable indirect cost is \$24,480. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by budget law.

No signatures are required to accept this amendment. This amendment extends the expiration date from September 30, 2009 to June 30, 2010, and increases the amount of the

award by \$85,000 for a new total of \$170,000. It will be used to pay the salary and benefits of one FTE Prosecutor PCN 66564. This grant will expire at the end of the award period unless prior written approval for an extension has been obtained from the Arizona Criminal Justice Commission. Maricopa County Attorney's Office has received Project Safe Neighborhood grant funds in FY 2007-08 and there is no reasonable expectation of future funding. (C-19-09-023-G-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Sheriff**

**10. AMENDMENT TO THE SUBGRANTEE AGREEMENT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – #444817-06**

Approve Amendment No. 1 to the Subgrantee Agreement from the Arizona Department of Homeland Security, Project Number: 444817-06. This amendment extends the expiration date of the Agreement from September 30, 2009 until December 31, 2009. The original Agreement was approved by the Board of Supervisors on December 3, 2008, (C-50-09-041-G-00) with term of October 1, 2008 through September 30, 2009.

This amendment is in term only no additional grant funds. (C-50-09-041-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**11. AMENDMENT TO AGREEMENT WITH TOWN OF YOUNGTOWN FOR POLICE DISPATCH AND OTHER PUBLIC SAFETY COMMUNICATIONS SERVICES**

Approve Amendment No. 2 to an Intergovernmental Agreement between Town of Youngtown and Maricopa County through the Sheriff's Office in the not to exceed amount of \$5,730. The purpose of this amendment is to reimburse the Sheriff's Office for the purchase and installation of one additional radio for a vehicle and the increase in monthly communications charges for the additional radio. This amendment is effective from December 1, 2009 to June 30, 2012. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

Also approve an exception to the capital equipment purchase policy and the technology finance program so the Sheriff's Office can proceed with the purchase of the radio for this contract.

Finally, per A.R.S. 42-17106 approve an appropriation adjustment increasing the Sheriff's (500) General Fund (100) FY 2010 revenue and expenditure appropriation by \$5,500 non-recurring; \$230 recurring (\$394 recurring, annualized). Intergovernmental revenue is not local revenue for the purpose of the constitutional expenditure limitation, and therefore, expenditure of this revenue is not prohibited by budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C-50-07-034-2-03)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**12. ACCEPT STATE CRIMINAL ALIEN ASSISTANCE (SCAAP) FUNDS**

Approve acceptance of \$4,006,872 in FY 2009 reimbursement funding from the Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP). The corresponding application was filed under BOS Agenda C-50-09-059-G-00, approved on April 1, 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law.

The Sheriff's Office has applied for this formula-based reimbursement on behalf of the County for many years. SCAAP reimburses state and local government agencies a portion of the costs to incarcerate undocumented criminal aliens who are convicted of felony offenses. Indirect costs are not recoverable since only staff whose primary responsibility is the care, custody, or supervision of persons detained (pre-trial detention) and incarcerated (convicted and sentenced) inmates are allowable in the calculation. Use of award funds has been designated by the Bureau of Justice Assistance for corrections purposes only. (C-50-10-060-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**13. WAIVER TO LEAVE PLAN OFFICER INJURED IN THE LINE OF DUTY**

Approve a waiver to leave plan for Deputy John Fedo, who was injured in the line of duty on October 5, 2009, during a police assist in Avondale. Deputy Fedo seriously injured a finger on his right hand while detaining a subject. The extent of the injury required two surgeries in two weeks, the second surgery was to remove the finger.

Deputy Fedo will require extensive time off for recovery. Approval of this action will allow Deputy Fedo to continue to receive his normal salary and benefits while on leave. In return, all workers compensation received for this injury will be returned to the county and no future claims for workers compensation will be made by this employee as a result of this injury. Unless authorized, this waiver shall expire one year from the date of this action. (C-50-10-057-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**14. RELEASE OF REPLACEMENT VEHICLES FOR SAFETY REASONS AND/OR DUE TO EXCESSIVE REPAIR COSTS**

Direct Equipment Services to replace the following vehicles/equipment with the equal number of vehicles/equipment replacements. This results in no net change to the County's Fleet.

This action is being requested in accordance with agenda item C-49-08-031-6-01, approved by the Board of Supervisors on February 11, 2009. A detailed list of the condition of these vehicles based on Equipment Services analysis is attached.

51328 1993 TAURUS  
31859 2008 EXPEDITION  
31674 2006 EXPEDITION  
31447 2004 EXPEDITION  
31426 2004 EXPEDITION  
31424 2004 EXPEDITION



31421 2004 EXPEDITION  
31410 2004 F350  
31322 2003 E350  
31130 2001 EXPEDITION  
13606 2006 CHARGER  
11727 2007 CROWN VICTORIA  
11717 2007 CROWN VICTORIA  
11716 2007 CROWN VICTORIA  
11715 2007 CROWN VICTORIA  
11669 2006 CROWN VICTORIA  
11658 2006 CROWN VICTORIA  
11437 2004 CROWN VICTORIA (C-50-10-058-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**15. ACCEPT FUNDS FROM ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD PEACE OFFICER TRAINING BOARD FOR E-LEARNING NETWORK**

Approve the acceptance of \$6,120 per the attached agreement and approve an aggregate total of phased awards up to \$90,143.28 in grant funding from the Arizona Peace Officers Standard and Training Board, Peace Officers Training Fund for the purpose of expanding and upgrading the E-Learning Network. Also authorize the Chairman of the Board of Supervisors to sign subsequent award documents associated with this project as the funding for the overall project will be awarded in distinct phases and increments. The term of this funding is the date of Board of Supervisors approval through June 30, 2010.

Finally, approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to proceed with the purchase of computer servers, network and production equipment for the expansion and upgrading of the E-Learning Network.

The Sheriff's Office indirect cost rate is 16.6% for FY2010. Unrecoverable indirect costs associated with this grant are estimated to be \$14,963.78. A list of the planned expenses is also attached to this document. This project is dependent upon funding awarded. (C-50-10-059-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**16. AMENDMENT TO THE COOPERATIVE LAW ENFORCEMENT AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, TONTO NATIONAL FOREST**

Approve Amendment No. 7 to the Cooperative Law Enforcement Agreement between the Maricopa County Sheriff's Office and the U.S. Department of Agriculture, Forest Service, Tonto National Forest. This Operating Plan has corrected language in Section I item B that reflects correct average deputy salary rate per hour and average deputy overtime hourly rate. There is no other change within the Operating Plan, funding remains the same as accepted on the October 7, 2009 Board meeting (C-50-06-514-2-06).

The Law Enforcement Cooperative Agreement was approved by the Board of Supervisors on December 21, 2005 (C-50-06-514-2-00). The Sheriff's Office has been providing services to the Tonto National Forest since at least 1980. (C-50-06-514-2-07)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Superintendent of Schools**

### **17. FUND TRANSFER TO THE SMALL SCHOOLS FUND**

Authorize and approve a non-recurring fund transfer of \$273,174 from the General Fund (100) to Small Schools Fund (669). This action transfers \$273,174 to the Small Schools Fund for funds that were inadvertently used to cover a portion of the Visions System's five year maintenance payment.

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$273,174 within FY 2009-10 Non Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) from Contingency (4711) to Other Programs (4712) creating a new line "Vision System Maintenance."

This action requires an increase to the FY 2009-10 Superintendent of Schools (370) Small Schools Fund (669) Non-Recurring/Non-Project (0001) revenue appropriation in the amount of \$273,174 and an increase to the FY 2009-10 Non-Departmental (470) Grant Fund (249) Non-Recurring/Non-Project (0001) line item "Potential Expenditures from Fund Balance" expenditure appropriation in the amount of \$273,174 with offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non Recurring Non Project (0001).

This result is a net county-wide impact of zero. (C-37-10-065-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Treasurer**

### **18. TREASURER'S COLLECTIONS AND INVESTMENT SUMMARY FOR SEPTEMBER 2009**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for September 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (C-43-10-006-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **JUDICIAL BRANCH**

## **Justice Courts**

### **19. AMENDMENT TO LEASE WITH J3 HARMON LLC FOR EAST MESA JUSTICE COURT SPACE**

Approve and execute Amendment No. 4 to Lease No. L-7015 with J3 Harmon, LLC for the property located at 4811 E. Julep Street, Mesa, AZ 85205. The purpose of this amendment is for the Lease Renewal for the space being occupied by the East Mesa Justice Court. This amendment is effective from January 1, 2010 to December 31, 2014.

This amendment No. 4 to Lease Agreement No. L-7015 will extend the existing Lease Agreement five years to commence on January 1, 2010 and termination on December 31, 2014. The rental rate is flat for the first three years as an annual rate of \$148,000.00, plus rental tax, year four at \$152,000.00 plus rental tax, and year five at \$156,000.00 plus rental tax. All other terms and conditions of the original Lease Agreement remain the same and in full force and effect. (C-24-99-006-4-04)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Superior Court**

#### **20. TRANSFER EXPENDITURE APPROPRIATION FOR SPANISH LANGUAGE INTERPRETERS**

Pursuant to A.R.S. § 42-17106, transfer FY 2009-10 expenditure appropriation in the amount of \$39,412 from the Non-Departmental (470) General Fund (100) Operating (0000) Contingency (4711) "Unreserved Contingency" line to Superior Court (800) General Fund (100) Operating (0000).

Approval of this action funds the Intergovernmental Agreement (IGA) approved between Maricopa County and the Arizona Superior Court of Maricopa County on November 4, 2009 in C-06-10-133-3-00 to provide the County access to Superior Court Spanish language interpreters in order to implement the Limited English Proficiency Policy. (C-80-10-009-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **COUNTY MANAGER**

### **Office of the County Manager**

#### **21. ACCEPT FUNDING FROM GILA RIVER INDIAN COMMUNITY FOR ARIZONA METH PROJECT**

1) Approve an administrative correction to item C-20-08-068-3-00 to include the following:

If funds are awarded in FY 2009-2010 and FY 2010-2011, pursuant to A.R.S. 42-171(b), approve increases to the County Manager (200) Non-Departmental Grant Fund (249), Non-Recurring Non Project (0001) appropriated revenue and expenditure budget in the amount of the award, not exceeding \$100,000 per year.

2) Approve a Contract between the Arizona Meth Project Inc. (Employer Identification Number 26-3584528) and Maricopa County in the amount of \$100,000. The purpose of this Contract is to provide funding, received by Maricopa County from the Gila River Indian Community, to the Arizona Meth Project Inc. for the purpose of media and outreach efforts. This Contract is effective from date of Board approval until June 30, 2010.

On June 18, 2008, the Board of Supervisors approved a resolution to apply for and accept Indian Gaming Funds from the Gila River Indian Community for the Arizona Meth Project (C-20-08-068-03-00). This correction allows for the budget to be adjusted for these funds. (C-20-08-068-3-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**22. ADMINISTRATIVE CORRECTION TO INDIAN GAMING FUNDS FOR THE JUVENILE DIABETES RESEARCH FOUNDATIONS' WALK TO CURE DIABETES**

Approve an administrative correction to item C-20-09-005-G-00 to include the following:

If funds are awarded in FY 2009-10, FY 2010-11, FY 2011-12 and FY2012-13, pursuant to A.R.S. 42-171(b), approve increases to the County Manager (200) Non Departmental Grant Fund (249) Non Recurring Non Project (0001) appropriated revenue and expenditure budget in the amount of the award, not exceeding \$50,000 per year.

On the 23rd of July, 2008, the Board of Supervisors approved a resolution to apply for and accept Indian Gaming Funds from the Gila River Indian Community for Community for the Juvenile Diabetes Research Foundations' Walk to Cure Diabetes (C-20-09-005-G-00). This correction allows for the budget to be adjusted for these funds. (C-20-09-005-G-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**23. ADMINISTRATIVE CORRECTION TO INDIAN GAMING FUNDS FOR THE EDVENTURES EDUCATIONAL PROGRAM AT THE PHOENIX ZOO**

Approve an administrative correction to item C-20-08-062-3-00 to include the following:

If funds are awarded in FY 2009-10 and FY 2010-11, pursuant to A.R.S. 42-171(b), approve increases to the County Manager (200) Non Departmental Grants Fund (249) Non Recurring Non Project (0001) appropriated revenue and expenditure budget in the amount of the award, not exceeding \$75,000 per year.

On the 18th of June, 2008, the Board of Supervisors approved a resolution to apply for and accept Indian Gaming Funds from the Gila River Indian Community for Community for the EdVentures Educational Program at the Phoenix Zoo (C-20-08-062-3-00). This correction allows for the budget to be adjusted for these funds. (C-20-08-062-3-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **DEPUTY COUNTY MANAGER**

### **Management and Budget**

**24. HEAD START TEACHER PROFESSIONAL CAREER PATH**

Authorize and approve the Head Start Teacher Career Path for Human Services. The Career Path authorizes Human Services to transfer positions for Head Start Teachers and Early Head Start Teachers from the Educator MRT to the Educator – Bachelor's MRT after the aforementioned teachers have obtained their Bachelor's Degree. After the position transfer is finalized, Human Services can, through the salary advancement process, request to increase the employee's base rate to the minimum of the Educator – Bachelor's market range or up to 5%, whichever is greater. This Career Path is considered a lateral, non-promotional move with no impact on Head Start Teachers' or Early Head Start Teachers'

eligibility for merit.

The Career Path is based on market practices and is intended to assist Human Services in complying with the Head Start for School Readiness Act which requires that by September 30, 2013, 50% of all Head Start Teachers must have a Bachelor's Degree while the remaining must have at least an Associate's Degree. (C-49-10-021-6-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Health**

### **25. AMENDMENT TO IGA WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR WELL WOMAN HEALTHCHECK PROGRAM**

Approve Amendment No. 4 to the Intergovernmental Agreement (IGA) (HG761266) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health, to provide Well Woman HealthCheck Program services to uninsured or underinsured women for breast and cervical cancer screening and diagnostic services. Amendment No. 4 replaces existing Price Sheet, therefore all prior Price Sheets to this agreement are hereby replaced and superseded by Price Sheet, Page Two (2) of Amendment No. 4. Total funding amount has increased from not-to-exceed \$482,388 to a new not-to-exceed amount of \$895,565, a net increase in the amount of \$413,177 for budget period July 1, 2009 through June 30, 2010. All other terms and conditions of the original IGA shall remain in full force and effect.

The Department of Public Health's indirect rate for FY 2009-10 is 19.5%. This grant allows indirect cost on Personnel Services and Employee Related Expenses only at \$16,917. Full indirect costs are estimated at \$37,657, of which \$16,917 is recoverable and \$20,740 is unrecoverable.

The \$413,177 total sum of these funds are subrecipient costs and not subject to indirect cost reimbursement.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from ADHS and do not affect the County's general fund. Reimbursement to subcontractors is on a per enrollee basis at rate established by ADHS. (C-86-08-001-3-08)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **26. AMENDMENT TO THE AFFILIATION AGREEMENT WITH GEORGE WASHINGTON UNIVERSITY MEDICAL CENTER**

Approve Amendment No. 1 to the Affiliation Agreement between the George Washington University Medical Center and Maricopa County through its Department of Public Health (MCDPH). This amendment extends the length of the Affiliation Agreement from January 1, 2010 through December 31, 2014.

All other terms and provisions of the original Affiliation Agreement are not modified and as set forth herein shall remain in full force and effect. (C-86-07-061-0-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**27. IGA WITH WICKENBURG UNIFIED SCHOOL DISTRICT FOR HIGH SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Wickenburg Unified School District and Maricopa County by and through its Department of Public Health to provide high school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$2,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-069-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**28. IGA WITH GILBERT UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Gilbert Unified School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$25,300 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-065-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**29. IGA WITH MOBILE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Mobile Elementary School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$1,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-067-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**30. IGA WITH QUEEN CREEK UNIFIED SCHOOL DISTRICT FOR HIGH SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Queen Creek Unified School District and Maricopa County by and through its Department of Public Health to provide high school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$2,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-068-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**31. IGA WITH CAVE CREEK UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Cave Creek Unified School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$5,750 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-070-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**32. IGA WITH WICKENBURG UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Wickenburg Unified School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$2,300 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-064-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**33. AMENDMENT TO LEASE AGREEMENT WITH ST MARYS FOOD BANK FOR WIC CLINIC SPACE**

Approve and execute amendment No. 1 to Lease Agreement No. L-7403 with St. Mary's Food Bank located at 3003 W. Thomas Road, Phoenix, AZ. Lessee occupies 4,488 square feet of office/clinic space for Women and Infant Children services. The rental rate is reduced from \$12.00 per square foot or an annual rate of \$53,856 to \$11.25 per square foot or an annual rate of \$50,490. The new rental rate will commence upon approval by the Board of Supervisors and will terminate on October 30, 2012. The lease contains a 90-day termination provision and a six-month hold-over provision. All other terms and conditions of the original lease remain in full force and effect.

Lessor will discontinue providing janitorial services to the leased facility and now Lessor and Lessee mutually desire to amend the lease to adjust the annual rent schedule to reflect the decrease in services provided by Lessor. The County Facility Review Committee endorsed this amendment at their October meeting. (C-86-08-046-4-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**34. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TEEN PREGNANCY PREVENTION PROGRAM**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) (No. HG861252) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health for the Teen Pregnancy Prevention Program that aims to reduce teenage pregnancies through education and training for parents/caregivers of teenagers. Amendment No. 2 extends the term of the IGA from January 1, 2010 through December 31, 2010. This amendment also makes administrative changes to the Special Terms and Conditions, and to the Scope of Work. Additionally, Amendment No. 2 replaces the Price Sheet, therefore all prior Price Sheets to this agreement are hereby replaced and superseded by Price Sheet, Page Three (3) of Amendment Two (2). Total funding amount remains unchanged at \$229,837 for the budget period January 1, 2010 through December 31, 2010. All other terms and conditions shall remain in effect.

The Department of Public Health's indirect rate for FY 2009-10 is 19.5%. This grant allows for full indirect cost reimbursement at \$37,505. Grantor allows 10% of total grant award to be adjusted between budgeted line items. These funds come from a grant from ADHS and do not affect the county's general funds. (C-86-08-037-3-02)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**35. GRANT APPLICATION TO THE PHOENIX AFFILIATE OF SUSAN G. KOMEN FOR THE CURE FOR WELL WOMAN HEALTHCHECK PROGRAM CYCLE TO CARE TREATMENT PROJECT**

Approve grant application to the Phoenix Affiliate of Susan G. Komen for the Cure under its Community Grant Program, by Maricopa County through its Department of Public Health to provide the Well Woman Healthcheck Program Cycle to Care Treatment Project. If awarded, the funding amount will not exceed \$250,000 for grant contract term beginning April 1, 2010 through March 31, 2011. Funding amount is tentative pending the approved grant award upon acceptance by the grantor.

The Department of Public Health's indirect rate is 19.5% for FY 2009-10. The grantor allows a maximum of 10% indirect cost reimbursement. However, the total sum of the grant consists of sub-recipient pass-through funds not subject to indirect costs.

Funding for this grant is provided by Susan G. Komen for the Cure and will not affect the County general fund. (C-86-10-071-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**36. AGREEMENT WITH ARIZONA TRADITIONS HOMEOWNERS ASSOCIATION, INC. ("ARIZONA TRADITIONS") FOR USE OF FACILITIES**

Approve the Agreement for the Use of Facilities between Arizona Traditions Homeowners Association, Inc. ("Arizona Traditions") and Maricopa County through its Department of Office of Preparedness Response (OPR) to collaborate with Arizona Traditions for the use of their facilities in the event of a public health emergency. The term of this non-financial agreement shall begin upon execution by both parties and shall be in effect until terminated by either party.



The MCDPH, Office of Preparedness Response was previously known as the Maricopa Department of Public Health Emergency Management Program (PHEM). (C-86-10-058-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**37. AMENDMENT TO LEASE AGREEMENT WITH THOMAS VERDRES DBA T&R PROPERTIES FOR HEALTHY START CLINIC SPACE**

Approve and execute Amendment No. 1 to Amendment of Lease Agreement No. L-7389 with Thomas Vedres DBA T&R Properties for office and clinic space at 2737 W. Southern Avenue, Tempe, AZ. Maricopa County will lease an additional 850 square feet adjacent office space at a flat rate of \$750.00 per month making the total leased space at 3,702 square foot. The lease term will be amended to commence on November 1, 2009 and terminate October 30, 2012. All other terms and conditions of the original Lease Agreement remain the same and in full force and effect

This item was indorsed by the County Review Committee during its October 2009 Committee meeting. Tenant improvements will be at no cost to the County. (C-86-07-005-4-01)

This item was inadvertently skipped and will be rescheduled for the December 2, 2009, meeting.

**38. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM CAPITAL ASSET POLICY**

Approve the exemption to the Technology Finance Program (TFP), Capital Asset Policy A2507 Sub Section C. E. 4 and Subsection C. H. to allow the Department of Public Health (860) fund (532) operating budget (0000) to purchase:

- 5 laptop computers (Latitude E-5500) with an estimated amount of \$7,838;

The total estimated amount is \$7,838. This equipment will be used by the department's Healthy Start Program. The grantor authorized the outright purchase of this capital purchase in FY 2009-10. Funding for the TFP will not be available in future grant awards.

These capital purchases are 100% grant funded.

Estimated tax calculated at 7.6% was added to the quote in the amount of \$554.

- The purchase of 5 laptop computers will be absorbed within a grant from First Things First, Healthy Start program budget for the grant year ending June 30, 2010. (C-86-10-076-6-00)

This item was inadvertently skipped and will be rescheduled for the December 2, 2009, meeting.

**ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

**Animal Care and Control**

Supervisor Stapley thanked those who donate to Animal Care and Control.

**39. DONATION RECEIVED FROM PETCO FOUNDATION**

Accept a monetary donation from PETCO Foundation of San Diego, CA in the amount of \$1,067 to benefit pet sterilization of public owned pets through the Maricopa County Spay/Neuter Assistance Program.

Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-041-D-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**40. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$60,000 and the Foster Program in the amount of \$3,888.55. The total donation received was in the amount of \$63,888.55 which supports one position in the Foster Program.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-042-D-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**41. DONATIONS OF FROM DANIEL ROBERTS AND GLEN GALATAN**

Accept the monetary donations from Daniel Roberts of Gilbert, AZ in the amount of \$300; and, Glen Galatan of Gilbert, AZ in the amount of \$1,759 for the care of the animals.

Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-043-D-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Human Services**

**42. CONTRACT WITH WESTMARC AS ADMINISTRATOR OF THE WESTERN MARICOPA ENTERPRISE ZONE FOR NONPROFIT ECONOMIC DEVELOPMENT FUNDING**

Approve a Contract between WESTMARC as the administrator of the Western Maricopa Enterprise Zone (WMEZ) and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$15,000. The purpose of this Contract is to Provide FY 2009-2010 nonprofit economic development funding to WESTMARC for the WMEZ for purposes

to include enhancing and strengthening the employment base of Western Maricopa County by promoting enterprise zone benefits to agencies and groups within the area as well as groups looking to relocate to the area. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-016-3-00)

Supervisor Wilcox thanked Jack Lundsford (who was in the audience) and Westmarc for all the help they have given to developing the west side.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **43. REVISIONS TO HEAD START POLICY COUNCIL BYLAWS**

Approve revisions to the Maricopa County Head Start Zero-Five Policy Council Bylaws. The purpose of the revisions is to 1) update the distribution and number of parent representatives and 2) update the election process for the Community Representatives. Both the Board of Supervisors and the Head Start Policy Council must approve the Policy Council Bylaws as required by the Head Start Act section 642.c(1)(E)(iv)(VI). These revised Bylaws replace those previously approved by the Board of Supervisors on July 23, 2008 (C-22-09-080-M-00).

The Maricopa County Head Start Zero-Five Program Policy Council unanimously approved these revised Bylaws on May 29, 2009.

Summary of revisions:

##### **MEMBERSHIP: SECTION 3.1.A**

To ensure adequate representation for Head Start Home Base parents, the distribution of the parent representatives was updated to accurately reflect the number of children enrolled in each option. Previously, the Head Start Center Base and Home Base parents were combined.

1. Head Start Center Based: Three (3) per Cluster for 18 total
2. Head Start Home Based: Two (2) total
3. Early Head Start Center and Home Based: Two (2) total

##### **MEMBERSHIP: SECTION 3.1.B.3**

Updated to state that only the Policy Council Parent Representatives, on behalf of the program parents, elect the Community Partner Representatives as required by the Head Start Act amended December 12, 2007. Previously, all Policy Council Representatives (Parent and Community) elected the Community Partner Representatives. (C-22-09-080-M-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **44. REVISION TO HEAD START POLICY COUNCIL PARENT REPRESENTATIVE ELECTION PROCEDURE**

Approve revisions to the Maricopa County Head Start Zero-Five Policy Council Parent Representative Election Procedure. The purpose of the revisions is to update Policy Council Parent Representative Election Procedures to coincide with the revised Policy Council Bylaws (C-22-09-080-M-01) and in accordance with requirements in Section 642.c(2)(B) of the Head Start Act. The revisions update 1) when parents receive information about the Policy Council and 2) when home-based parents nominate themselves for membership on the Policy Council. Both the Board of Supervisors and the Head Start Policy Council must approve procedures for how members of the Policy Council are selected as required by the

Head Start Act Section 642.c(1)(E)(iv)(VI).

The Maricopa County Head Start Zero-Five Program Policy Council unanimously approved this revised procedure on May 29, 2009.

Summary of revisions:

Section 3.1.A.i: Introduction to Policy Council

a. Head Start Center Based at the social service home visit, and

b. Early Head Start Center Based and Head Start/Early Head Start Home Based at the initial home visit.

Section 3.1.B.i: Nominations of Policy Council Representatives

b. Home Based: during the second home visit (C-22-09-082-6-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**45. REVISION TO HEAD START POLICY COUNCIL COMMUNITY REPRESENTATIVE ELECTION PROCEDURE**

Approve revisions to the Maricopa County Head Start Zero-Five Policy Council Community Representative Election Procedure. The purpose of the revision is to outline who elects Community Representatives to the Policy Council to coincide with the revised Policy Council Bylaws (C-22-09-080-M-01) and in accordance with requirements in Section 642.c(2)(B) of the Head Start Act. This revised procedure replaces the procedure approved by the Board of Supervisors on November 6, 2008 (C-22-09-110-6-00).

The Maricopa County Head Start Zero-Five Program Policy Council unanimously approved this revised procedure on May 29, 2009.

The previous procedure specified that representatives who are not appointed by the Board of Supervisors or the Delegate Agency were to be elected by the Policy Council. The accepted change to the procedure specifies that only Policy Council Parent Representatives elect the Community Representatives. This action is required because the Head Start Act requires that parents elect the Policy Council representatives. The Policy Council Parent Representatives elect the Community Representatives on behalf of all program parents. (C-22-09-110-6-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**46. CONTRACT WITH ARIZONA COMMUNITY ACTION ASSOCIATION FOR RENT AND MORTGAGE ASSISTANCE**

Approve a Contract between Arizona Community Action Association (ACAA) and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$13,000. The purpose of this Contract is to provide funding for the rent and mortgage assistance program. The term of this Contract is from July 1, 2009 to May 31, 2010.

The Human Services Department current negotiated DHHS indirect rate for FY 2009-10 is 16.2%, while the actual indirect rate is 18%. The total grant funds is \$13,000 of which \$13,000 are directed toward direct payments and are not subject to indirect charges. Therefore, the estimated recoverable indirect is \$0. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. The grant is from the Community Funding Collaborative for Community Action Agencies and will not impact the County general fund.

This funding deviates from the Maricopa County Policy for Administering Grants (A2505) which requires all departments/special districts to obtain Board of Supervisors approval prior to submitting an application for funding. The Arizona Community Action Association identified the Maricopa County Human Services Department as a recipient of these funds without an application process, in addition, this Contract is advanced funding from the Arizona Community Action Association, therefore, we are requesting Board of Supervisor approval to accept these funds. (C-22-10-038-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**47. MEMORANDUM OF UNDERSTANDING WITH HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM FOR SERVICE COORDINATION AND DATA SHARING (AMERICAN RECOVERY AND REINVESTMENT ACT)**

Approve the Memorandum of Understanding (MOU) for purposes of coordination of services and data sharing through the Maricopa Homeless Management Information System (HMIS) between Homeless Prevention and Rapid Rehousing Program (HPRP) Grantees and Sub-grantees, collectively known as HPRP Participants. The purpose of the MOU will increase effectiveness of the grant funding by allocating resources at a single point of services to clients. This MOU, with activities funded through the American Recovery and Reinvestment Act (ARRA) of 2009, is effective upon execution and will expire no later than August 4, 2012, or upon expenditure of all grant funds.

Maricopa County was awarded \$900,303 in HPRP funds by the approval of accepting of funds from the Homeless Prevention and Rapid Re-housing Program grant from the U. S. Department of Housing and Urban Development (C-17-09-060-G-00). Participation in the HMIS reporting system is mandated by HUD for all HPRP grantees as a condition of receiving funds. Funds for this grant do not impact the County General Fund.

This item is contingent upon the approval of Agreement with Community Information & Referral, Inc. for the Homeless Prevention and Rapid Rehousing Program (American Recovery And Reinvestment Act) (C-22-10-036-3-00) (C-22-10-037-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**48. AGREEMENT WITH COMMUNITY INFORMATION & REFERRAL, INC. FOR THE HOMELESS PREVENTION AND RAPID REHOUSING PROGRAM (AMERICAN RECOVERY AND REINVESTMENT ACT)**

Approve the Grantee Partnership Agreement between Community Information & Referral, a non-profit agency, and Maricopa County by and through its Human Services Department. The purpose of this Agreement is to allow access and use of the Maricopa Homeless Management Information System (HMIS) as required by the Department of Housing and Urban Development for implementation of the Homeless Prevention and Rapid Re-Housing Program (HPRP) under the American Recovery and Reinvestment Act (ARRA) of 2009. Through the participation in this Agreement, funding will be allocated for the purchase of software licenses, security certificates, and training. The purchases are eligible expenses under the HPRP grant.

Maricopa County shall have access and use of Maricopa HMIS until grant funds are expended, but no later than August 4, 2012. Data may continue to be shared with authorized Grantees or Sub-grantees beyond the termination of this agreement.

No General Funds will be used because this Agreement is funded through Homeless Prevention and Rapid Rehousing Program. Indirect costs do not apply to this Agreement.

Maricopa County was awarded \$900,303 in HPRP funds by the approval of accepting of funds from the Homeless Prevention and Rapid Re-housing Program grant from the U. S. Department of Housing and Urban Development (C-17-09-060-G-00). Participation in the HMIS reporting system is mandated by HUD for all HPRP grantees as a condition of receiving funds.

This item is contingent upon the approval of the Memorandum of Understanding with Community Information & Referral, INC. for the Implementation of the Homeless Prevention and Rapid Rehousing Program (AMERICAN RECOVERY AND REINVESTMENT ACT) (C-22-10-037-3-00) This item was continued from the November 4, 2009 meeting. (C-22-10-036-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Parks and Recreation**

##### **49. JOB ORDER CONTRACT WITH D. L. NORTON GENERAL CONTRACTING, INC.**

Approve and execute the Job Order Contract (JOC), Contract No. HQ10-003 with D. L. Norton General Contracting, Inc. for a not-to-exceed amount of \$1,500,000.00 to serve as the contractor for the pre-construction and construction services phase of the Maricopa and Sun Circle Regional Trailhead Facilities. This Contract is effective from November 18, 2009 until June 30, 2012.

This JOC shall be effective for a period of three years (FY 2010 – FY 2012). The Contractor shall be paid a total fee not-to-exceed \$1,500,000 over three years.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the County to expediently complete smaller construction projects using pre-qualified contractors with structured pricing basis. The Parks and Recreation Department develops the scope of work and approves the contractor's cost proposal prior to the contractor starting work on a specific job order project. (C-30-10-009-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

##### **50. JOB ORDER CONTRACT WITH NORTHWEST WOODLAND SERVICES, INC.**

Approve a Contract between Northwest Woodland Services, Inc (HQ 10-002) and Maricopa County through the Parks and Recreation Department, in the not-to-exceed amount of \$1,500,000. The purpose of this Contract is to serve as the contractor for the pre-construction and construction services phase of the Maricopa and Sun Circle Regional Trail Segments. This Contract is effective from November 18, 2009 until June 30, 2012.

This JOC shall be effective for a period of three years (FY 2010 – FY 2012). The Contractor shall be paid a total fee not-to-exceed \$1,500,000 over three years.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the County to expediently complete smaller construction projects using pre-qualified contractors with structured pricing basis. The Parks and Recreation Department develops the scope of work and approves the contractor's cost proposal prior to the contractor starting work on a

specific job order project. (C-30-10-010-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**51. USE MANAGEMENT AGREEMENT WITH DESERT WAKE PARK, LLC**

Approve the Use Management Agreement between Maricopa County and Desert Wake Park, LLC for the development, management, operation and maintenance of the Adobe Dam Regional Park Water Sports Center Concession to be located at Adobe Dam Regional Park. The Effective Date of the Agreement shall be from the date fully executed by all Parties with a term from the Effective Date through December 31, 2030 (approximately 20 years) with a 20-year Renewal Option. All development costs will be at the expense of Desert Wake Park LLC. There will be a one-time maintenance deposit by Desert Wake Park LLC of \$50,000 (Department 300, Fund 241) in FY 2009-10. Guaranteed revenue for Maricopa County Parks and Recreation Department (Department 300, Fund 241) over the life of the original term is \$810,000.

In October 2008, a Request for Proposal was released for additional Adobe Dam Regional Park recreation concessions of which Desert Wake Park, LLC responded and their proposal accepted. Desert Wake Park LLC proposed the development, management, operation and maintenance of a cable ski lake, consisting of a main cable lake of approximately six acres and Easy Start Lake of approximately two acres to where participants will water ski and wake board behind a cable apparatus. The Effective Date of the Agreement shall be from the date fully executed by all Parties with a term from the Effective Date through December 31, 2030 (approximately 20 years) with a 20-year Renewal Option. (C-30-10-011-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**52. NAMING OF PISTOL RANGE AT GENERAL JOE FOSS SHOOTING**

Approve naming the pistol range at the General Joe Foss Shooting Complex at Buckeye Hills to "Silvestre S. Herrera Pistol Range". The Facilities Review Committee and the Parks and Recreation Advisory Commission have reviewed the name change and have made the recommendation. This facility is in District 5. There is no financial impact. (C-30-10-012-M-00)

Supervisor Wilcox said how pleased Silvestre Herrera would be to have this pistol range named for him. The Parks Board acted on recommendations they received and chose Mr. Herrera because of his heroic actions with the U.S. Army during World War II. He was the first Arizonan to receive the Congressional Medal of Honor during that war and he was also awarded Mexico's highest honor for valor on the field of battle. She said that Silvestre S. Herrera maintained dual citizenship in Mexico and the United States. She had a video, but due to technical difficulties it could not be shown until later in the meeting.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**53. AMENDMENT TO PHOENIX SPEEDWAY CORP COOPERATIVE AGREEMENT**

Approve Amendment No. 1 to the Cooperative Agreement (C-30-05-032-1-00) between Maricopa County ("County") and Phoenix Speedway Corp ("PSC") for the exclusive use of group camping and parking areas at Estrella Mountain Regional Park during scheduled

National Association for Stock Car Auto Racing (NASCAR) events. The original Agreement expires December 31, 2009 and Amendment One extends the Agreement until December 31, 2024. Total term of the Agreement, as amended is approximately 20 years (April 1, 2005 – December 31, 2014). There are no renewal options.

Amendment One also incorporates administrative changes and modifies the Fee Payment Schedule. Guaranteed revenue for Maricopa County Parks and Recreation Department (Department 300, Fund 241) over the life of the Agreement, as amended, is \$403,773. All administrative and maintenance costs during the period occupied by PSC are the responsibility of PSC.

County and PSC entered into the initial Cooperative Agreement (C-30-05-032-1-00) effective April 1, 2005 for a period of five years, with the option to renew. Purpose of the Agreement was for the exclusive use of group camping and parking areas at Estrella Mountain Regional Park during scheduled National Association for Stock Car Auto Racing (NASCAR) events currently conducted in April and November of each year. Amendment One extends use of the designated area at Estrella Mountain Regional Park until December 31, 2024 (approximately 20 years); incorporates administrative changes to the existing Agreement; and modifies the fee payment schedule. There are no renewal options. All administrative and maintenance costs during the period occupied by PSC are the responsibility of PSC. (C-30-05-032-1-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **54. FUNDS TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CHIEF PROCUREMENT OFFICER**

### **Materials Management**

#### **55. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

- a. **09054-C, AUTOMOTIVE MAINTENANCE; OEM SERVICE FACILITIES**



Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09054-C

Item: Automotive Maintenance; OEM Service Facilities (\$900,000.00 estimate/three years until November 30, 2012, with three one-year renewal option) Price agreement for three years to provide factory authorized service and original equipment manufacturer (OEM) parts for Maricopa County fleet as required.

Bill Luke Chrysler Jeep & Dodge  
Fiesta Lincoln Mercury  
Pioneer Ford  
Sanderson Ford  
Sunset Ford (C-73-10-043-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. 06092-S, TRASH REMOVAL SERVICES**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: November 18, 2009 (Effective January 01, 2010)

Serial: 06092-S

Item: Trash Removal Services (\$2,700,000.00 estimate/three years until December 31, 2012) Three year renewal of contract for Trash Removal Services throughout Maricopa County.

Allied Waste (C-73-10-042-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. 05070-RFP, EMPLOYEE VISION SERVICES**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: July 01, 2010

Serial: 05070-RFP

Item: Employee Vision Services (\$4,200,000.00 estimate/three years until June 30, 2013) to provide vision services to Maricopa County employees and their dependents as required.

EyeMed Vision Care (C-73-10-044-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. 06021-RFP, JANITORIAL SERVICES**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: November 18, 2009 (Effective December 01, 2009)

Serial: 06021-RFP

Item: Janitorial Services (\$3,500,000.00 estimate/one year until November 30, 2010) One year renewal of contract for Janitorial Services for Maricopa County buildings.

SBM Site Services LLC  
Varsity Contractors Inc. (C-73-10-048-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**e. 05155-S, INFORMATION TECHNOLOGY CONSULTANTS**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: December 01, 2009

Serial: 05115-S

Item: Information Technology Consultants (\$2,000,000.00 estimate/one year until November 30, 2010) Price renewal for IT consultants to be used by various County departments based on individual budgetary authorizations and requirements. Departmental requirements are competitively solicited from the qualified contractors. (C-73-10-047-7-00)

Amba Solutions, Inc. Analysts International Atomic Medium Inc Bluecrane Inc. Blue Line Planning Inc Candia Systems Assoc Inc Comforce Technical Services Coplan and Company Crew Providers, Inc. Cybernology Inc Data Pacific Corporation Data Site Consortium Inc David Ford Consulting Engineer Desert Sky Software Inc E-Consulting Inc	KDM Technology Consulting, Inc. Kinetik I.T. KnowledgeBase Consulting KVL Consultants, Inc Management Decisions, Inc Matrix Resources Meridian Technology Group, Inc MSS Technologies Inc MTG Management Consultants Opal Soft Inc. Paradigm Solutions LLC Pragmatica LLC Premier Technical Resources RB Balch Computer Consultants SanTrac Technologies Inc
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eCorridor, Inc Executive Direction Inc. Engineering Mapping Solutions Inc. Enterprise Data Consulting LLC Enterprise Technology Services Gistic Research Inc. Gould Intelligent LLC Indusa Technical Corporation Insight Public Sector Inc Integrum Technologies LLC Int Technologies LLC IT Partners	Sentinel Technologies Inc Stilwell Software, Inc Systems Technology Group, Inc TeamPersona Tech One Staffing Technology Staffing Solutions TEKsystems Telecom Resources International Inc. Training To You Inc TriYoung Business Solutions Vault Digital LLC
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Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**f. 05197-S,EMPLOYEE LIFE INSURANCE**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: July 01, 2010

Serial: 05197-S

Item: Employee Life Insurance (\$12,600,000.00 estimate/two year until June 30, 2012) to provide employee life insurance availability to county employees and dependants as desired. Includes both basic life (county paid) and supplementary group life county employees may purchase at their option. There is no change in the rates.

The Standard (C-73-10-049-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**g. 05146-RFP, EMPLOYEE BENEFITS CONSULTING SERVICES**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: January 01, 2010

Serial: 05146-RFP

Item: Employee Benefits Consulting Services (\$525,000.00 estimate/three years until December 31, 2012) to provide employee benefits consulting services as required and directed. Mercer Human Resources Consulting is the primary (on retainer) and The Segal Company is available for special projects as directed.

Mercer Human Resources Consulting  
The Segal Company (C-73-10-050-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**h. 05168-C, TRAFFIC SIGNAL HEADS & COMPONENTS**

Approve an increase in the price agreement for the following contract. This request is due to an increased usage by county departments.

Serial: 05168-C Traffic Signal Heads & Components (\$500,000.00)  
Increase price agreement value from \$600,000.00 to \$1,100,000.00.

Brown Wholesale Electric

This \$500,000.00 increase is being requested by Public Works to provide materials for twelve new intersection projects to be installed for FY 2009-10. The Board of Supervisors approved the initial price agreement on April 5, 2006 in the amount of \$600,000.00. Subsequently the Board of Supervisors approved the renewal on March 18, 2009 in the amount of \$600,000.00. This price agreement has an expiration date of April 30, 2012. (C-73-10-045-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**i. 08064-SS, MFR/ BUDGET APPLICATION DEVELOPMENT**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 08064-SS

Item: MFR/ Budget Application Development (\$1,125,165.12) Increase price agreement value from \$4,034,000.00 to \$5,159,165.12. This is a contract increase for \$1,125,165.12 to continue the MFR/Budget Application Development for the County.

Microsoft (C-73-10-046-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

### **Air Quality Department**

**56. AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS FOR TRIP REDUCTION PROGRAM**

Approve an Agreement between Maricopa Association of Governments (MAG) (Agreement # 412) and Maricopa County through the Air Quality Department, in the not-to-exceed amount of \$566,797.18. The purpose of this Agreement is to provide continued funding for the Maricopa County Trip Reduction Program (TRP) Services. This Agreement is funded with Federal funds, CFDA# 20.205. This Agreement is effective from October 1, 2009 until

September 30, 2010. (C-85-10-014-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Emergency Management**

**57. AGREEMENT WITH WICKENBURG RURAL FIRE DEPARTMENT FOR COMPLETION OF THE MARICOPA COUNTY COMMUNITY WILDFIRE PROTECTION PLAN**

Accept the financial agreement with the Wickenburg Rural Fire Department and Maricopa County through the Department of Emergency Management in the not-to-exceed amount of \$20,00.00. This agreement is for the completion of the Maricopa County Community Wildfire Protection Plan (CWPP) pursuant to the Cooperative Forestry Assistance Act of 1978, as amended and A.R.S. 37-622, to assess and treat hazardous fuels. The grant award begins on the date signed by Wickenburg Rural Fire Department and ends September 30, 2012. The grant allows for full indirect cost recovery. The recoverable indirect cost of administering this grant is \$2,817.87. The Maricopa County Department of Finance has calculated the Department of Emergency Management's composite indirect cost rate at 16.40%, or \$2,817.87.

Approve the waiver of \$2,817.87 in indirect cost recovery and absorb the cost in the budget. The Department plans to apply 100% of the grant to the CWPP. Approve an increase in revenue and expenditure appropriation to the Department of Emergency Management (150) Emergency Management Grant Fund (215) Non Recurring Non Project (0001) in the amount of \$20,000. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

A lump sum payment of \$20,000.00 will be issued to MCDEM by Wickenburg Rural Fire Department once the agreement is signed by all parties. (C-15-10-004-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**58. HOMELAND SECURITY GRANT PROGRAM AWARD FOR CENTRAL REGION CITIZEN CORPS READINESS AND RESPONSE CAPABILITY**

Accept the FY 2009 Homeland Security Grant Program Award from the Arizona Department of Homeland Security (AZDOHS) for the Central Region Citizen Corps Readiness and Response Capability to Maricopa County through the Department of Emergency Management (MCDEM) in the not-to-exceed amount of \$44,359. The Grant Agreement number is 555200-01. Authorize the Department Director to sign all documents associated with this grant. This grant will help sustain and develop Citizen Corps Program with Maricopa County. The grant award begins on October 1, 2009 and ends September 30, 2010. The Maricopa County Department of Finance has calculated the Department of Emergency Management's composite indirect cost rate at 16.40%, or \$6,249.89. Approve the waiver of \$6,249.89 in indirect cost recovery and absorb the cost in the budget. The Department plans to apply 100% of the grant to the maintenance of the program. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C-15-10-007-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**59. AMENDMENT TO THE STATE HOMELAND SECURITY GRANT FOR MARICOPA COUNTY CITIZEN CORPS PROGRAM**

Approve Amendment No. 1 to the FFY2007 State Homeland Security Grant No: 07-AZDOHS-HSGP-333201-03 for the Citizen Corps Program Grant, which extends the grant contract ending date from July 31, 2009 to December 31, 2009. Authorize Department Director to sign the Amendment No. 1. All other provisions shall remain in their entirety.

The grant was awarded from the State Homeland Security Grant Program (SHSGP) to Maricopa County through the Department of Emergency Management (MCDem) for the Citizen Corps Program. (C-15-09-004-3-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Planning and Development**

**60. RESOLUTION FOR DEVELOPMENT AGREEMENT WITH INSIGNIA ESTATES, LLC.**

Approve by Resolution of Adoption the Development Agreement with Insignia Estates, LLC, an Arizona limited liability company, and Maricopa County as required by stipulation "g" of Comprehensive Plan Amendment case CPA 200604 for Insignia. CPA 200604 was approved on December 20, 2006.

As a condition of the CPA approval, the applicant is required to enter into a development agreement with Maricopa County to address potential short - and long-term fiscal impacts to Maricopa County. This agreement must be approved by the Board of Supervisors prior to approval of any zone change associated with the CPA. The term of this agreement shall be ten years from the Board of Supervisors approval. This development agreement is to be recorded as required pursuant to A.R.S. 11-1101. (Supervisory District 5) (C-44-10-037-M-00)

Carolyn Oberholtzer, Rose Law Group, said she was representing the Insignia Project, and referenced the 10-year term of this development agreement. She indicated some trepidation at the timing because there is no way to know how long the current financial downturn will last. She said the current economy makes financing difficult and indicated the absorption rates are not normal. They would prefer having this item approved with a development agreement time frame of 15 years and asked the Board to consider this change prior to the vote.

Joy Rich, Director of Planning and Development, said they have consistently kept to a 10-year term on development agreements. She said this brings the item back to this or a future Board to make certain that taxpayers continue to be protected. Ms. Rich pointed out that there is no application fee involved. She indicated that MCDOT and legal counsel should give input if the Board is considering the 5-year extension of time.

Supervisor Kunasek said he believed whoever was sitting on the Board in ten years would be able to consider all elements involved in making a decision.

Supervisor Wilcox said her staff had studied the problem and briefed her. She felt that if the 10-year period has been in use for a long time that moving it for one application would open the door to moving it for others in the future and it would have to be

addressed on every issue coming before the Board. She agreed with the recommendation of staff to maintain the 10-year time frame.

Supervisor Kunasek asked if Insignia could come back to the Board before the 10-year period ends if they decide they need more time.

Ms. Rich said they were free to come back at any time.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Public Works**

#### **61. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-193-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **62. MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION ROADWAY/LIVESTOCK INCIDENT MITIGATION POLICY**

Approve and adopt the Maricopa County Department of Transportation (MCDOT) Roadway/Livestock Incident Mitigation Policy and Resolution to establish guidelines for the reporting and tracking of vehicle incidents involving livestock and to establish criteria for the implementation of traffic control devices at identified livestock locations providing for the safest circumstances.

Approve the MCDOT Roadway/Livestock Incident Mitigation Policy and Resolution in order to provide the safest circumstances when drivers approach identified livestock areas. Arizona is an "open range" state which means that in most areas not under the jurisdiction of a municipality or other government agency, livestock are not enclosed onto property with fences, but are allowed to graze freely. The Traffic Management Division will record and track livestock incidents and accidents as received from the Maricopa County Sheriff's Office. The tracking of these reports will provide information for the implementation of appropriate traffic control devices, signage or striping. This item was discussed in Executive Session on August 18, 2008 under item E-19-09-023-00. Supervisory Districts: 1, 2, 3, 4, and 5 (C-91-10-069-6-00)

The Clerk announced that the department has requested this item be continued to the December 2, 2009, meeting.

Motion to continue to the December 2, 2009, meeting by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **63. BID AND AWARD FOR ASPHALT RUBBER OVERLAY 2010 PROJECT (ARRA)**

Approve the solicitation of bids for the Maricopa County Department of Transportation's

Asphalt-Rubber Overlay 2010 Project (ARRA), Pavement Preservation (PAVE) Project Number T322. Award the contract to the lowest responsive responsible bidder, provided that the lowest responsive responsible bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of overlaying the existing road surfaces with 1-1/2" Asphalt-Rubber Concrete Pavement. An Asphalt-Rubber Overlay will prolong the life span of a road 15 to 20 years, increase the structural strength of the road to accommodate the higher traffic counts predicted for the near future, and will reduce noise emanating from the traffic on the road.

The project consists of approximately 123 lane miles of various arterial roads (1,013,034 square yards), detailed in the included ROAD LISTS. Supervisory District No. 4 (C-91-10-068-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**64. BID AND AWARD FOR RUBBERIZED BITUMINOUS SURFACE TREATMENT**

Approve the solicitation of bids for the Maricopa County Department of Transportation's Rubberized Bituminous Surface Treatment FY 2010, Work Order Number 30050069. Award the contract to the lowest responsive bidder, provided that the lowest responsive responsible bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of treating the existing road surfaces with a rubberized bituminous material. Replacement or installation of pavement delineation and other miscellaneous work items are required to complete the project.

The project consists of approximately 118 lane miles of road detailed in the included Road List. Supervisory District No(s): 2, 3, 4, and 5 (C-91-10-071-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**65. CHANGE ORDER TO CONCORD GENERAL CONTRACTING DESIGN BUILD CONTRACT FOR SECURITY BUILDING RENOVATIONS**

Approve Change Order No. 19 to Design Build contract (C-70-04-039-8-00) awarded to Concord General Contracting for the Security Building Renovations project in an amount not-to-exceed \$555,499. This change order will permit the south core restrooms on floors 8 through 12 of the Security Center tower to be renovated. This is the final phase of this contract and is expected to be the final additive change order. This project is located in District 5.

On December 3, 2003, the Board of Supervisors authorized the Public Notice legal advertisement and award of a design-build construction contract for "Security Building Renovation," Project #2000131164E. The project called for the renovation of the Security Building to house the Office of the Public Defender and the Office of the Legal Defender. On May 17, 2004, a contract was awarded to Concord General Contracting for \$7,455,597.00. (C-70-04-039-8-12)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



**66. ACCEPT FUNDS FOR ARIZONA OPERATIONS ACADEMY**

Approve the acceptance of federal funds in the amount of \$16,789.65 to conduct an Arizona Operations Academy for advancement of transportation operations knowledge and skills for transportation executives, engineers and technicians. The grant is valid for 36 months, beginning September 3, 2009 until September 3, 2012.

Also, approve the revenue and expenditure appropriation increase in the amount of \$16,790 in FY 2009-10 to the Public Works (910) Transportation Grants Fund (223) Non-Recurring Non-Project (0001).

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Federal Highway Administration has identified Arizona as one of the ten "Opportunity States" for leveraging operations. AZTech Operations Committee is focusing on developing an Operations Action Plan for Maricopa County region. These efforts have identified education and training of the executives and managers in transportation operations and management as a critical need to advanced operations. A project funded by the Federal Highway Administration is proposed to design and organize an Arizona Operations Academy in Maricopa County. The Academy will be based on the concept of total immersion in the subject of transportation management and operations, using a mix of classroom instruction, workshops, and analysis of existing systems to ensure the retention of the principles being presented. The Academy will provide opportunities to practice and internalize the principles learned which is not possible in traditional classes and short courses. This program is intended for surface transportation operations managers and supervisors seeking to advance their knowledge and skills in transportation management and operations.

The total cost of the Academy is \$20,987.06. A local match of 20% or \$4,197.41 is required. Funding is available on a reimbursement basis for the cost of \$16,789.65.

The Department of Transportation's indirect cost rate of 19.7% is unrecoverable. The department's non-recoverable indirect cost is \$3,307.56. All Supervisory Districts. (C-91-10-058-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**67. AMENDMENT TO IGA WITH THE TOWN OF WICKENBURG FOR IMPROVEMENTS TO OCOTILLA DRIVE**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between Maricopa County and the Town of Wickenburg for the Ocotilla Drive project from Mandrad Drive to Palo Verde Drive, Partnership Support (PSUP) Project Number T100. The amendment will increase the County's financial participation by \$111,000.00, making our total contribution capped at \$407,000.00. The Town has completed the roadway annexation process.

The original project was estimated at one million dollars, with the County contributing 50%, the Town 25%, and the property owners 25%. The project came in under budget at the total cost of \$592,000. The County has already remitted payment to the Town via two separate payments, \$200,000 on June 5, 2007 for design and right-of-way work, and \$300,000 on March 13, 2008 for our expected share of construction costs. With the lower than expected

project costs, the County is due a refund in the amount of \$204,000.00.

Unfortunately, during this time of economic downturn, the Town is unable to collect the expected 25% or \$148,000 from the property owners to complete the construction phase of the project. Many of the properties are now in foreclosure, so the Town is requesting the County to partner with them to make up the remaining 25% of the total project costs. The County is willing to share the additional 25% with the Town, with the County contributing \$111,000 and the Town contributing \$37,000.00, thus making our share of the total project costs \$407,000. The County will receive a refund in the amount of \$93,000 from the Town. Supervisorial District No. 4 (C-64-06-051-2-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**68. ADMINISTRATIVE CORRECTION REGARDING THE FY 2009-10 FIVE YEAR CAPITAL IMPROVEMENT PLAN**

Approve an administrative correction to the action taken on October 21, 2009 (C-91-10-059-2-00) regarding the FY 2009-10 Five Year Capital Improvement Project and the creation of a new Major Maintenance project titled "SEF Relocation to Phoenix" Function Class SEFP, in the amount of \$411,206 in Year 1.

From: Approve an expenditure appropriation adjustment decreasing Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) Contingency (4711) in the amount of \$411,206 and increasing Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) Major Maintenance (4732) Major Maintenance line in the amount of \$411,206.

To: Approve an expenditure appropriation adjustment decreasing Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) Contingency (4711) in the amount of \$411,206 and increasing Non-Departmental (470) General Fund (100) Major Maintenance (4732) SEF Relocation to Phoenix (SEFP) project in the amount of \$411,206.

This action is necessary because expenditure authority was necessary for this project to encumber funds from FY 2009-10. (C-91-10-059-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**69. CONSENT ORDER WITH ARIZONA DEPARTMENT OF ENVIRONMENT QUALITY FOR CAVE CREEK LANDFILL**

Approve Consent Order between the Maricopa County Solid Waste Management Department (MCSWMD) and the Arizona Department of Environment Quality (ADEQ) (Azurite Place ID 1169) for the Cave Creek Landfill, located at 3955 East Carefree Highway, Phoenix, Maricopa County, Arizona. The effective date of this Consent Order shall be the date this Consent Order is signed by the ADEQ and MCSWMD. (C-91-10-067-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**70. CLARIFY AND AMEND ACTION REGARDING THE AWARDING OF CONTRACT TO CACTUS ASPHALT FOR PRESERVATIVE SEAL PROJECT**

Clarify and amend the action taken on December 17, 2008 (C-91-08-086-M-00) regarding awarding a Job Order Contract (JOC) to Cactus Asphalt for Preservative Seal Services for FY2008-09 (Contract No. 2008-028). Clarify that the original language "approve the bid" was in error and does not apply to this action. The value of the contract was inadvertently omitted in the original Board action.

Approve amending the contract value for FY 2008-09 from \$500,000 to \$3,000,000; for FY 2009-10 from \$0.00 to \$3,000,000 and for FY 2010 -11 from \$0.00 to \$3,000,000 for a total fee not-to-exceed \$9,000,000 over three years.

This JOC with Cactus Asphalt shall be effective for a period of one year from the Board award date and may be renewed, if mutually agreed to by both the Contractor and the County, for an additional two one-year periods. The Contractor shall be paid a total fee not-to-exceed \$9,000,000 over three years with the annual contract amount not-to-exceed \$3,000,000.

The project consists of treating existing road surfaces with a preservative type material. Replacement or installation of pavement delineation and miscellaneous work items may be required to complete the project. Supervisorial Districts 1, 2, 3, 4, and 5 (C-91-09-086-M-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **BOARD OF SUPERVISORS**

**Clerk of the Board**

**71. APPOINTMENT TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Approve the appointment of Eric Fitzer to the Community Development Advisory Committee representing Supervisorial District 1. The term of the appointment will be effective as of the date of Board approval through June 30, 2010. (C-06-10-177-9-00)

Supervisor Brock thanked those citizens willing to serve on this board.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**72. APPOINTMENTS TO THE BOARD OF HEALTH**

1) Approve the appointment of Amanda Jemsek, who is currently a member at-large, as the District 2 representative to the Board of Health. The term will remain the same and be effective through December 31, 2012.

2) Approve the appointment of Kip D. Steill to the Board of Health as a member at-large. The term of the appointment will be effective as of the date of Board approval through December 31, 2012. (C-06-10-104-9-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**73. APPOINTMENT TO THE CITIZENS' TRANSPORTATION OVERSIGHT COMMITTEE**

Approve the appointment of Kyle B. Robinson to the Citizens' Transportation Oversight Committee representing Supervisorial District 1. The term of the appointment will be effective as of the date of Board approval through November 30, 2012. (C-06-10-191-9-00)

Supervisor Brock thanked those citizens willing to serve on this board.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Industrial Development Authority**

**74. ADOPT A RESOLUTION APPROVING THE ALLOCATION OF RECOVERY ZONE FACILITY BONDS - DUNN-EDWARDS CORPORATION**

Adopt a Resolution approving the allocation of \$5,496,000 of Recovery Zone Facility Bond Volume Cap to The Industrial Development Authority of the County of Maricopa to be used in connection with a bond financing for the benefit of Dunn-Edwards Corporation for economic development.

Related Agenda item C-18-10-028-4-00 was approved by the Board on September 2, 2009 to designate all areas within Maricopa County as a recovery zone as defined in and within the meaning of and for the purposes of the American Recovery and Reinvestment Act of 2009. (C-18-10-031-4-00)

Supervisor Kunasek said the Dunn-Edwards project will bring new jobs to the community, which is appreciated and again recognized the good work being done by the IDA as very beneficial.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**75. ADOPT A RESOLUTION APPROVING THE ISSUANCE OF BONDS FOR UNITED FOOD BANK**

Adopt a resolution approving the issuance by The Industrial Development Authority of the County of Maricopa of its Community Service Facility Revenue Bonds (United Food Bank Project), Series 2009, in one or more series, in an aggregate principal amount not-to-exceed \$3,000,000 (C-18-10-032-4-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

**Planning and Development**

**76. ZONING CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the December 2, 2009 meeting. (C-44-10-038-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Works**

77. Set a public hearing to declare the following roads into the county highway system for Wednesday, December 16, 2009.

**a. RESET PUBLIC HEARING FOR ROAD FILE NO. 5832**

Reset a public hearing to provide additional information on Road File No. 5832 originally scheduled to be heard on November 18, 2009. The new hearing date is hereby scheduled for December 16, 2009 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Olive Avenue, Perryville Road, Peoria Avenue, Citrus Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4. (C-91-10-049-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CONSENT AGENDA**

### **Clerk of the Board**

**78. APPOINTMENTS**

Approve the Official Appointments of Nancy Killian as Limited Duty Special Deputy Clerk. (C-06-10-185-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**79. DUPLICATE WARRANTS**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-10-188-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**80. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held August 19, 2009; August 20, 2009; September 2, 2009; September 16, 2009; and September 29, 2009. (C-06-10-181-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**81. PRECINCT COMMITTEEMEN**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-189-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**82. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-10-186-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**83. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated November 18, 2009. List is on file in the Clerk of the Board's Office. (C-06-10-187-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**84. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. 42-18353. List is on file in the Clerk of the Board's Office. (C-43-10-007-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**BOARD OF SUPERVISORS ADDENDUM**

**Public Health**

**A-1. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM CAPITAL ASSET POLICY FOR PURCHASE OF LAPTOP COMPUTERS**

Approve the exemption to the Technology Finance Program (TFP), Capital Asset Policy A2507 Sub Section C. E. 4 and Subsection C. H. to allow the Department of Public Health (860) fund (532) operating budget (0000) to purchase:

- 20 laptop computers (Latitude E-5500) with an estimated amount of \$29,509;

The total estimated amount is \$29,509. This equipment will be used by the department's Office of Preparedness and Response for H1N1 Surveillance and Outbreak activities. The grantor authorized the outright purchase of this capital purchase in FY 2009-10. Funding for the TFP will not be available in future grant awards.

These capital purchases are 100% grant funded.

Estimated tax calculated at 7.6% was added to the quote in the amount of \$2,084.

- The purchase of 20 laptop computers will be absorbed within a grant from Arizona Department of Health Services, Office of Preparedness and Response program budget for the grant year ending July 31, 2010. (C-86-10-066-6-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING RECESSED**

Chairman Wilson recessed the Board of Supervisors to convene as the Board of Directors of various special districts.

### **MEETING RECONVENED**

Chairman Wilson reconvened the Board of Supervisors.

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

85. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

No member of the public registered to speak at this meeting.

## **86. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Wilcox showed the video referenced in item 52 on the Life of Silvestre S. Herrera, who was twice commended for his heroic actions and personal commitment on the battlefield in World War II. In March 1945, he received the Congressional Medal of Honor for exceptional courage, presented to him by President Harry Truman as Pvt. Herrera sat in his wheelchair. Pvt. Herrera lost both of his legs after stepping on a landmine following repeated, heroic assaults on a German stronghold in the midst of heavy enemy machine gun fire. Despite his wounds and unchecked bleeding of his legs, Pvt. Herrera retrieved his gun and held down enemy troops with his gunfire as his squad moved forward. His heroic actions helped in the capture of two enemy strongholds and the taking of eight German prisoners. Mr. Herrera died in 2007.

Supervisor Brock reported he and David Smith had represented the County at a governing conference attended by 200 community leaders from Arizona and California. He felt it had been an outstanding educational experience for both the business and government communities of both states. He had been interested to learn that Los Angeles County has more than 110,000 special districts. He said at the end the moderator had asked both the Democratic and Republican leadership for recommendations on what should be done during this very difficult economic environment. He compared the frustration faced by local representatives in Arizona's government who are faced with a \$2 to \$3 billion dollar deficit, saying the deficit is 12

times greater in California, somewhere between a \$25 and \$30 billion dollar budget shortfall. He mentioned that Governor Brewer had called a special session of the legislature on our budget issues.

\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning\*\*\*

David Smith and Paul Golab left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Outside Attorney, came forward to present the following Planning and Zoning cases.

## **PLANNING AND ZONING AGENDA**

### **REGULAR AGENDA**

#### **1. TEXT AMENDMENT - BILLBOARD SPECIAL USE PERMIT**

Case Number: TA2009010  
Supervisory District: All Districts  
Applicant: Beus Gilbert, PLC  
Location: County-wide  
Request: Text Amendment (TA) to the Maricopa County Zoning Ordinance (MCZO) for off-site advertising as a special use - Proposed MCZO Section 1301.1.41  
Commission Action: Deny by a split vote of 5-3.

This item was continued from the October 7, 2009 meeting. (C-44-10-025-7-00)

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The Clerk announced that the applicant has withdrawn this request.

#### **2. ZONE CHANGE - INSIGNIA**

Case Number: Z2007044  
Supervisory District: 5  
Applicant: Rose Law Group  
Location: Northeast of Old US Highway 80 and north of the Hunt Highway alignment (in the south Buckeye area)  
Request: Zone Change from Rural-190 to Rural-190, R1-10 RUPD, R1-8 RUPD, R1-6 RUPD, R-2 RUPD, C-S, and C-O with a Planned Area of Development (PAD) overlay for the entire site. Request also includes changing from Wireless Communication Facility (WCF) District 3 to WCF District 1  
Commission Action: Approve by a unanimous vote of 7-0 subject to modified stipulations 'a' through 't' per staff recommendation.

This item was continued from the November 4, 2009 meeting. (C-44-10-034-7-00)

Motion to concur with Planning and Zoning recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock



Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **FLOOD CONTROL DISTRICT AGENDA**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, November 18, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, Don Stapley, Vice Chairman, District 2; District 4; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-10-192-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-2. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held August 19, 2009; September 2, 2009; and September 16, 2009. (C-06-10-182-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-3. RESOLUTION FOR THE DRAINAGE DESIGN MANUAL FOR MARICOPA COUNTY - HYDROLOGY**

Adopt Resolution FCD 2009R014, Drainage Design Manual – Hydrology for Maricopa County (DDM Hydrology), which authorizes and directs the Chief Officer and General Manager of the Flood Control District of Maricopa County (District) to distribute the DDM Hydrology and recommend its use by the citizens of Maricopa County.

The purpose of the DDM Hydrology is to provide updated technical procedures for estimating storm water runoff and to assist engineers in the delineation of flood hazards and the design of drainage facilities.

By adopting this Resolution the Board of Directors will establish the hydrologic design procedures to be used by District staff, agencies, municipalities, developers, property owners, engineers, contractors, and others. This agenda item impacts all Supervisory Districts. (C-69-10-036-6-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-4. ADMINISTRATIVE CORRECTION TO THE 2009 COMPREHENSIVE FLOODPLAIN MANAGEMENT PLAN AND PROGRAM RESOLUTION**

Approve an Administrative Correction to the action taken on October 7, 2009 (C-69-10-015-6-00) whereby the Board of Directors approved Resolution 2009R010 for the 2009 Comprehensive Floodplain Management Plan and Program. The Resolution number referred to in the agenda item was 2009R011 and will be corrected to 2009R010 as shown on the Resolution document. (C-69-10-015-6-01)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-5. AMENDMENT TO IGA FOR WHITE TANKS NO. 3 FLOOD RETARDING STRUCTURE REHABILITATION PROJECT - PHASE II**

Approve Amendment No. 1 FCD 2009A013A to Intergovernmental (IGA) Agreement FCD 2009A013, between the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) and the Flood Control District of Maricopa County (District) to extend the period of time for the District to award the Phase II construction contract from 90 days after the original agreement is signed to 180 days. Agreement FCD 2009A013 was approved by the Board of Directors on August 19, 2009 (C-69-10-008-3-00) and is for the cost sharing, planning, design, construction and operation and maintenance of the White Tanks No. 3 Flood Retarding Structure (FRS) Rehabilitation Project – Phase II (Project [#470]). The estimated total Project cost remaining to be spent is \$11,000,000, of which NRCS will fund an amount estimated to be (and not to exceed) \$3,271,995.19, and the District will fund an amount estimated to be \$7,728,004.81.

This IGA Amendment is effective the date it is fully executed by all parties. With this Amendment, the Agreement shall become null and void 180-calendar days after the date NRCS executed the IGA, if a contract has not been awarded. The IGA shall expire five-years from the effective date.

The White Tanks No. 3 FRS is a major flood control feature within the White Tanks Mountains' easterly watershed. Modifications are required to bring the structure into compliance with current dam safety standards and requirements. This Agenda Item is located in Supervisory District 4. (C-69-10-008-3-01)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **LIBRARY DISTRICT AGENDA**

The Board of Directors of the Library District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, November 18, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

### **L-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held August 19, 2009; September 2, 2009 and September 16, 2009. (C-06-10-183-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-2. DONATIONS**

In accordance with County Policy A2805, accept the monthly donation report received from Library District for October 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-184-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-3. APPOINTMENTS TO THE LIBRARY DISTRICT CITIZENS' ADVISORY COMMITTEE**

1) Approve the appointment of Bernadine McCollum to the Library District Citizens' Advisory Committee as a member At-Large. The term of the appointment will be effective as of the date of Board approval through June 30, 2011.

2) Approve the reappointment of Roy Delgado to the Library District Citizens' Advisory Committee representing Supervisorial District 4. The term of the appointment will be effective as of the date of Board approval through June 30, 2011. (C-06-10-158-9-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-4. AMENDMENT TO IGA WITH THE CITY OF SURPRISE FOR OPERATION OF THE HOLLYHOCK BRANCH LIBRARY**

Approve Amendment No. 7 C-65-03-016-2-07 to an Intergovernmental Agreement (IGA) between the City of Surprise and the Maricopa County Library District in the amount of \$82,940.00. The purpose of the amendment is to continue operation of the Hollyhock Branch Library in Surprise. The amendment is effective from July 1, 2009 to June 30, 2010. All other terms and conditions of the IGA remain in full force and effect.

The City of Surprise (CITY) shall reimburse the Library District (DISTRICT) quarterly for operating expenses in an amount not-to-exceed \$82,940.00 as outlined in Appendix A of the IGA. (C-65-03-016-2-07)

Chairman Wilson related how excited and impressed the residents of Sun City are with the help received from Mr. Courtright to keep their library branch open.

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**L-5. AMENDMENT TO IGA WITH THE SPECIAL HEALTH CARE DISTRICT DBA MARICOPA INTEGRATED HEALTH SYSTEM**

Approve Amendment No. 4 to an Intergovernmental Agreement (IGA) between Maricopa County Special Health Care District d.b.a Maricopa Integrated Health System and the Maricopa County Library District in the amount of \$12,000. The purpose of this amendment is to continue providing Health Care District library automation. This amendment is effective from January 1, 2010 to December 31, 2010. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The Library District has provided the Health Care District with library automation of the public catalog, acquisitions, cataloging and circulation operations since calendar year 2006. The current agreement expires December 31, 2009. The Health Care District wishes to continue receiving the service. The Health Care District shall pay the Library District \$12,000 for calendar 2010. (C-65-06-018-2-04)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board